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2 SUPREME COURT OF THE STATE OF NEW YORK
3 COUNTY OF KINGS

4 -----x

5 STALIN RODRIGO REYES ESPINOZA,

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7 PLAINTIFF,

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9 -against-

10 Index No.:

11 515197/19

12 DAVS PARTNERS LLC AND KALNITECH

13 CONSTRUCTION COMPANY,

14

15 DEFENDANTS.

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18 DATE: April 11, 2022

19 TIME: 11:00 a.m.

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EXAMINATION BEFORE TRIAL of the
Defendant, DAVS PARTNERS LLC, taken by the
respective parties, pursuant to a Court
Order, held at the above date and time,
before Aileen Koven, a Notary Public of the
State of New York.

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2 A P P E A R A N C E S :

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16 BY: ROBERT BRIGANTIC, ESQ.

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1 HUDSON

2 what did he do?

3 A. He always doing something.
4 It's his own office. If he has to check in
5 something that he wants to be changed, he
6 will give instruction or if he decide to
7 work something like, for example, if they
8 were doing the cage, there is a cage with
9 all the security stuff in there. He come
10 and help us, set it up. He basically like,
11 I say it's his project and he will check
12 everybody. There was nobody off limits of
13 what is getting done. He is paying to get
14 it done. We pretty much have to do it to
15 his satisfaction.

16 Q. So he had supervisory authority
17 over the entire job site?

18 A. He owns the place. So, yes.

19 Q. Did he direct the work?

20 A. Well, he would give
21 instructions. For example, he tells me
22 what he wants to get done and I will do my
23 part and direct the workers that are
24 working underneath me. He tells the
25 general contractor what needs to get done.

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1 HUDSON

2 work?

3 A. David, he is responsible for
4 scheduling the work. I went there to do my
5 part and he would schedule with AC guy,
6 with the plumbers and like I say Gus always
7 pretty much there every day. So he know
8 what needs to get done from David.

9 Q. So David would instruct Gus
10 what to do?

11 A. Yes. Instruct all of us. It
12 could be something, for example, he tells
13 us Monday, he don't want to tell us again
14 and again. He tell us what needs to be
15 done. He come and observe and make sure
16 it's getting done.

17 Q. If there had to be a change
18 order David would have to approve that?

19 A. Well, in this case he just said
20 hey, I like that to be changed. It's not a
21 regular process of being in the city where
22 it's kind of major to work in a change
23 order. With him he say hey, I would like
24 for you to have an extra light in the
25 office. Just by saying it we do it. We